

ORIGINAL

FILED  
IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
FOR THE EASTERN DISTRICT OF TEXAS  
OCT 17 2006

SHERMAN DIVISION

DAVID J. MALAND, CLERK  
BY  
DEPUTY \_\_\_\_\_

UNITED STATES OF AMERICA

§

vs.

§

DAVID CARL HARVEY (1)

§

§

§

Criminal No. 4:06cr136  
(Judge Schell)


**FACTUAL STATEMENT**

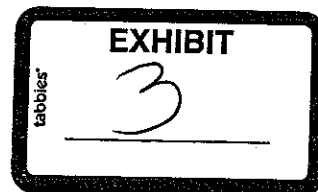
Investigation by the United States Secret Service disclosed the following facts which establish that I, the defendant, DAVID CARL HARVEY, violated Title 18, U.S.C., Section 1029(a)(5), and which I accept as true and correct:

From on or about August 28, 2003, through on or about September 16, 2003, in the Eastern District of Texas and elsewhere, I did knowingly and with intent to defraud, effect transactions with one or more access devices issued to Mark Koval, to receive things of value during a one-year period, to-wit: two power generators, car rental, cellular phone service, and cellular phones the aggregate value of which was equal to or greater than \$1,000.

**DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT**

I have read this Factual Resume, Plea Agreement, and the Indictment and have discussed them with my attorney and fully understand them. I fully understand the contents of this Factual Resume and agree without reservation that it accurately describes the events and my acts. I acknowledge that these acts violated Title 18, United States Code, Section 1029(a)(5). I hereby stipulate that the facts described above are true and correct and accept them as the uncontroverted facts of this case. I am pleading guilty because I am guilty as charged in Count Two of the Indictment in this case.

  
\_\_\_\_\_  
DAVID CARL HARVEY  
Defendant



**COUNSEL FOR DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT**

I have read this Factual Resume, Plea Agreement, and the Indictment and have reviewed them with my client, DAVID CARL HARVEY. Based upon my discussions with the defendant, DAVID CARL HARVEY, I am satisfied that he understands the Factual Resume, Plea Agreement, and the Indictment.

A handwritten signature in black ink, appearing to read "Neil Durrance", written over a horizontal line.

NEIL DURRANCE  
Attorney for Defendant